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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,761

09/27/2003

Jeffery Hess

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7590

03/14/2006

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EXAMINER

TRAN, LY T

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 03/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,761

Applicant(s)

HESS ET AL.

Examiner

Ly T. TRAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-28 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-13 and 15-28 are rejected under 35 U.S.C. 102(e) as being anticipate by Writt (USPN 6,530,632).

With respect to claims 1, 15, 20, 22, 23 and 28, Writt discloses an apparatus and a method of an image forming device comprising:

- An image forming mechanism to form images on media, the media manually inserted into the image forming device and remaining stationary within the image forming device during image formation, the mechanism including a first path in which media is moved through the mechanism during image formation and a second media path in which the media is manually inserted and remains stationary within the mechanism during image formation thereon (Abstract)
- A sensor to detect manual insertion of the media (Column 4: line 42-45)

- A controller to cause the image forming mechanism to form an image on the media in response to the sensor detecting manual insertion of the media (Column 4: line 46-49)

With respect to claim 2, Writt discloses the second path extends under a print head of the image forming mechanism, such that manual insertion of the media within the second media path places the media under the print head, wherein the media remains stationary while the print head forms the image thereon (fig.1: element 20).

With respect to claims 3 and 24, Writt discloses the sensor comprises a freely rotating switch that is actuated by the media being manually inserted within the second path, and that is rotated out of the way by the media moving through the image forming mechanism within the first path (column 4: line 56-67, Fig.4).

With respect to claim 4, Writt discloses a housing within which image forming mechanism, the sensor and the controller are disposed, the housing defining a slot that exposes the second path of the image forming device (Fig.1: element 20).

With respect to claims 5 and 19, Writt discloses a guide situated on the housing to guide manual insertion of the media into the slot and within the second path for aligned image formation of the image on the media (Column 4: line 4: line 63-65).

With respect to claims 6, 21, 25 and 16, Writt discloses a print head that is able to move across media to form images thereon, the print head having a height corresponding to a swath of media such that the print head forms images on the media on a swath by swath basis (Column 4: line 54-55).

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With respect to claim 7, Writt discloses the image formed by the image forming mechanism on the media manually inserted is one swath of media height (column 4: line 54-55).

With respect to claim 8, Writt discloses that the print head is ink jet print head (Column 3: line 41-45).

With respect to claim 9, Writt discloses the image to be formed by the image forming mechanism on the media manually inserted is a predetermined static image that does not normally vary on an image formation job by image formation job basis (Column 5: line 48).

With respect to claim 10, Writt discloses that the image to be formed by the image forming mechanism on the media manually inserted is a dynamic image that is able to be varied on an image formation job by image formation job basis (Column 5: line 48-60).

With respect to claims 11, 28 and 17, Writt discloses a computer readable medium to store the image to be formed on the media manually inserted, such that the image is able to be formed on the media manually inserted without the image forming device having to be communicatively coupled to a host device (Column 5: line 53-60).

With respect to claims 12, 26, 27 and 18, Writt discloses a communications mechanism to communicatively couple the image forming device with a host computing device to at least initially receive the image to be performed by the image forming mechanism on the media manually inserted (Column 5: line 13-24).

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With respect to claim 13, Writt discloses the media to be manually inserted is an envelope and the image to be formed on the media is a return address (Column 5: line 49).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Writt (USPN 6,530,632) in view of Iggulden et al (USPN 5,013,895).

Writt fails to teach printing a barcode onto the envelope.

Iggulden teaches printing a barcode onto the envelope (Abstract).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to print a barcode on the envelope as taught by Iggulden. The motivation of doing so is that barcodes make it easier to identify the document, therefore improving the routing and delivery time.

Response to Arguments

3. Applicant's arguments filed 1/3/06 have been fully considered but they are not persuasive.

Applicant argues that the "spring clip 42" of Writt do not read upon "freely rotating switch" of present invention. This argument does not deem to be persuasive because

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referring to figure 5, the spring 42 is moved down from the conductive sensor 45.

Therefore, Writt still meets the claim invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly T. TRAN whose telephone number is 571-272-2155. The examiner can normally be reached on M-F (7:30am-5pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571-272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LT

March 2, 2006



STEPHEN MEIER
SUPERVISORY PATENT EXAMINER